

REMARKS:

Claims 14 to 21 have been cancelled and new Claims 22 to 19 have been added so that there is a net reduction in the total number of claims so that no further claims fees are required.

Each of the independent Claims 1 and 22 is distinguished from the prior art by the feature that there is provided a remote field cabinet separate from the central office and that there is provided in communication between the remote field cabinet and the central office both a trunk cable containing a plurality of twisted pairs and a bi-directional link separate from the trunk cable.

Yet further the present invention provides a splitter and interface module (as defined in the claim) which provides splitting of the signals from the individual subscriber telephone lines into signals for communication along the trunk cable and separately along the bi-directional link.

The Examiner has cited Eames and has referred particularly to Figure 5 and to parts of the description relating to Figure 5.

In particular the Examiner has mentioned the external USAM-ADSL 520 and the internal USAM-ADSL 510.

The component 520 may correspond to the remote field cabinets of the present invention. It is clear that, in regard to such remote field cabinets, Eames discloses the communication of both voice and data signals along the single optical fiber 160.

The Examiner admits on page 4 of the Official Action that Eames fails to teach a trunk cable containing a large number of TWPs and extending from the USAM-520 to the CO. The Examiner then refers to the USAM-510 and to the plurality of TWPs 423 which connect within the central office from the terminal 130 to the USAM-510.

The Examiner then goes onto conclude that it would be obvious to provide such a cable 423 connected to the USAM-520.

However it is clear from Figure 5 of Eames that the voice and data signals are both communicated along the same cable, which in the case of USAM-520 is a fiber 160 and in the case of USAM-510 is the cable 423.

There is simply no disclosure nor suggestion in Eames therefore that the communication from a remote field cabinet should be divided into two separate components and transmitted along the two separate links as set forth above.

More particularly, it is submitted that Eames is fully clear as to the mode of communication between the central office and the remote USAM-520 which is by way of a single fiber connection. The internal USAM-510 which is part of the central office provides no teaching as to how a communication should be provided with a remote USAM such as 520.

On the face of it the provision of two separate communication links provided by the trunk cable and the bi-directional link is merely a duplication and therefore is contra-intuitive.

It is understood that the Examiner's argument is merely that such trunk cables are known (as for example shown in Figure 5 of Eames) and therefore it is obvious to provide such a trunk cable in the specific location set forth in the present invention. However there must be some motivation within the document of Eames to provide such a construction by modifying the clear teaching set forth in Eames as disclosed in respect of the remote USAM-520. The Examiner has not referred to any such motivation in Eames but has stated the reason which arises merely from hindsight that "such a distributed architecture would allow for more effective service to broad geographical regions." There is simply no support for such a motivation. Eames clearly discloses the intended construction

11

in respect of the USAM-520 and makes no suggestion of any modification of this construction which should be used and which would provide an advantage.

It is submitted therefore that each of the claims distinguished by the above features is properly distinguished from the prior art of Eames and should therefore be allowed.

New dependent Claims 23 to 29 have been added to features described in the application as filed so that no new matter has been added.

It is submitted that the application is in good order for allowance.

Respectfully submitted

DAVID E. DODDS ET AL

PER:

Adrian D. Battison

Registration No. 31,726

ADB/II
January 14, 2004
Enc.(2)
Adrian D. Battison

Winnipeg, Manitoba, Canada
Telephone (204) 947-1429 - FAX (204) 942-5723

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent And Trademark Office on the date shown below.

LYNN LEATHERDALE

Lynn Leatherdale

DATE:

Jan 14/04